

SENATORS BURGESS, HOUSTON, JARVIS  
AND POPE

Opposed the bill.

SENATORS BELL, GLASSCOCK, TERRELL  
AND CALHOUN

Spoke in favor of the bill.

SENATOR CALHOUN

Offered the following amendment:

Amend section 4 by striking out the words "three thousand," and insert in lieu thereof the words "nine thousand."

Lost.

SENATOR CALHOUN

Moved to amend in line 8 in section 3, by striking out the words "ten thousand," and insert in lieu thereof the words "fifty thousand."

Lost.

The bill was ordered engrossed by the following vote:

YEAS—14.

Armistead,	Douglass of J.
Bell,	Frank,
Burney,	Garrison,
Calhoun,	Glasscock,
Camp,	Harrison,
Claiborne,	McDonald,
Davis,	Terrell

NAYS—13.

Abercrombie,	Jarvis,
Allen,	Knittle,
Burgess,	Lane,
Douglass of G,	Pope,
Field,	Upshaw,
Gregg,	Woods,
Houston,	

ABSENT—3.

McManus,	Stinson,
Simkins,	

On motion of Senator Claiborne,  
The Senate adjourned until 10  
o'clock to-morrow morning.

#### FORTY-FIRST DAY.

SENATE CHAMBER. }

AUSTIN, February 26, 1887. }

The Senate met pursuant to adjournment.

Lieut. Governor Wheeler in the chair.

Roll call.

Quorum present.

Prayer by the chaplain, Dr. Smoot.

On motion of Senator Pope,  
The reading of the Journal of yesterday was dispensed with.

On motion of Senator Allen,  
Senator Glasscock was excused till Tuesday on account of important business.

#### PETITIONS AND MEMORIALS.

BY SENATOR MACMANUS:

Petition of Juan Ortis and other citizens of Webb county, calling attention to Chapman's House bill, and asking that Mexican coin be made legal tender in this State.

Referred to Committee on Finance.

BY SENATOR ABERCROMBIE:

Memorial of general committee of the Texas State Geological and Scientific Association, etc.

Ordered to lie on table subject to call.

BY SENATOR FRANK:

Petition of citizens of Erath county, asking legislation on railroads, penitentiaries, land and other similar subjects.

Referred to Committee on Internal Improvements.

BY SENATOR HOUSTON:

Petition for D. M. Prewitt.  
Referred to Committee on Private Land Claims.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
AUSTIN, TEXAS, February 26, 1887.  
*Hon. T. B. Wheeler, President of the Senate:*

Sir—I am instructed by the House to inform the Senate that the House has passed Senate bill No 7:

"An act to prohibit and punish dealing in futures, and to punish persons for permitting their premises to be used to carry on such business, and to repeal an act entitled 'an act to amend chapter 2, title 2, of the Penal Code of the State of Texas, adding thereto Article 354a; approved March 31, 1885,' by a vote 91 ayes.

Also, that the House has passed "Senate Joint Resolution No. 19, granting leave of absence to Hon. John C. Russell, judge of the Twenty-

eight Judicial District of the State of Texas," with an amendment.

WILL LAMBERT,  
Chief Clerk House of Representatives.

On motion of Senator Simkins,  
Senate bill No. 111 and Senate bill No. 117 were made the special order for Thursday after morning call, and from day to day until disposed of.

The Senate resumed consideration of substitute Senate bill No. 22, the railway commission bill.

#### SENATOR POPE

Moved to amend the bill by striking out all of section 1.

(Senator Allen in the chair.)

#### SENATOR UPSHAW

Made a lengthy argument against the amendment.

(The President in the chair.)

On motion of Senator Harrison,  
The amendment was tabled by the following vote:

#### YEAS—18.

Abercrombie,	Field,
Allen,	Frank,
Armistead,	Gregg,
Bell,	Harrison,
Camp,	McDonald,
Claiborne,	Simkins,
Davis,	Stinson,
Douglass of J,	Upshaw,
Douglass of G,	Woods.

#### NAYS—10.

Burges,	Jarvis,
Burney,	Knittle,
Calhoun,	Lane,
Garrison,	MacManus,
Houston,	Pope,

Senator Terrell announced a pair with Senator Glasscock; the former would have voted "no," the latter "yea."

#### SENATOR SIMKINS

Offered a substitute for the substitute bill.

(Senator Lane in the chair.)

#### SENATOR HARRISON

Spoke at length in favor of the substitute.

(The president in the chair.)

The following message was received from the House:

HOUSE OF REPRESENTATIVES. }  
AUSTIN, February 26, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—I am instructed by the House to inform the Senate that the House has passed House Substitute Senate bill 85, being,

"An act to establish and organize the county of Mills."

WILL LAMBERT, chief clerk,  
House of Representatives.

On motion of Senator Armistead,

Two hundred copies of the substitute offered by Senator Simkins for substitute Senate bill No. 22 (the railway commission bill), were ordered printed, and the further consideration was postponed till Tuesday morning after morning call, and from day to day till disposed of.

#### SENATOR ABERCROMBIE

Sent up, by leave,

A bill to be entitled:

"An act to authorize any city or town in this State to compromise existing indebtedness and to issue new bonds to be sold or exchanged for this purpose, and to provide for the efficient collection of taxes to pay the principal and interest of such new bonds, and to provide for the appointment of receivers for said municipal corporations during the pendency of negotiations for such compromise."

Referred to Judiciary Committee No. 1.

On motion of Senator Claiborne,  
Senate bills Nos. 170 and 195 were made special orders for Wednesday morning after morning call, and from day to day till disposed of.

By leave,

#### SENATOR HOUSTON

Sent up the following committee report:

COMMITTEE ROOM, }  
AUSTIN, February 25, 1887. }  
Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Constitutional Amendments, to whom was referred Senate Joint Resolution, No. 17:

"To amend section 4, Article 6, of the Constitution of the State of Texas, providing for the registration of voters in cities of ten thousand inhabitants or more," have had the same under considera-

tion, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

HOUSTON, chairman.

Joint resolution read first time.

SENATOR POPE

Offered the following resolution:

Resolved, That the President of the Senate be, and he is hereby authorized, to employ one more porter, whose duty it shall be to attend the Senate committee rooms and do such other labor as the sergeant-at-arms may direct; said porter to receive for all such services performed two dollars per day.

Adopted.

The following message was received from the House:

HALL HOUSE OF REPRESENTATIVES, }  
AUSTIN, TEXAS, February 26, 1887. }  
*Hon. T. B. Wheeler, President of the Senate.*

Sir—I am directed by the House to inform the Senate that the House has passed

Senate bill No. 275.

"An act to create the office of district attorney for the sixth judicial district of the State of Texas; and to regulate the respective duties of such district attorney, and of the county attorneys in said district.

WILL LAMBERT,  
Chief Clerk House of Representatives.

The President referred House Substitute Senate bill No. 85.

"An act to establish and organize the county of Mills," to Committee on Counties and County Boundaries.

Substitute Joint Resolution No. 19.  
"Granting leave of absence to the Hon. John C. Russell, judge of the Twenty-eighth Judicial district of the State of Texas," was laid before the Senate with a House amendment.

On motion of Senator Armistead,  
The Senate concurred in the House amendment.

SENATOR STINSON

Moved to reconsider the vote just taken.

Carried.

On motion of Senator Terrell,  
The further consideration of the resolution and amendment was indefinitely postponed.

Substitute House Joint Resolution No. 1.

"Joint resolution to amend section 24, Article 3, of the Constitution of the State of Texas," was taken up, read second time and passed to third reading.

House bill No. 8.

"An act to prevent the acceptance of free railroad passes or tickets, or the use of same, or any device in lieu thereof by State, district and county officers, and to prescribe penalties therefor,"

Was taken up and read second time with favorable committee report.

On motion of Senator Armistead,

The bill was laid on the table subject to call.

House bill No 16:

"An act to amend section 1 of an act to protect mechanics, laborers and operators on railroads against the failure of owners, contractors and subcontractors or agents to pay their wages when due and provide a lien for such wages, approved February 18, 1879,"

Was taken up and read second time with committee amendments.

On motion of Senator Bell,

The first committee amendment was adopted.

On motion of Senator Bell,

The second committee amendment was adopted.

On motion of Senator McDonald,

The third committee amendment was adopted.

SENATOR DOUGLASS OF JEFFERSON,  
Offered the following substitute for section 1 of the bill:

Section 1. That all mechanics, laborers and operatives, who may have performed labor, or worked with tools, teams or otherwise in the construction or repair of any railroad, locomotive, car or other equipment or property of a railroad, and to whom wages are due or owing for such work, or for the work of tools or teams thus employed, or for work otherwise performed, and all persons who may have furnished materials to be used in the construction or repair of any railroad, locomotive, car or other equipment or property of a railroad, and to whom pay is due for such materials so furnished, shall hereafter have a lien prior to all others upon such railroad and its equipments or property for such wages, pay for such materials as are unpaid.

SENATOR DOUGLASS OF JEFFERSON

Favored the substitute.

SENATORS LANE, BELL AND UPSHAW

Opposed it.

SENATOR GREGG

Moved to amend the substitute as follows:

Insert after word "performed," in section 1, line 4, the following: "And all persons who may have furnished material to be used in the construction or repair of any railroads, locomotives, car or other equipment or property of a railroad," and insert after second committee amendment the following: "Or for such material furnished."

Accepted.

Lost.

The bill was passed to third reading.

SENATOR DAVIS

Moved to adjourn till 10 o'clock Monday morning.

SENATOR BELL

Moved to adjourn until 3 o'clock this afternoon.

The first motion was adopted and the Senate adjourned till 10 o'clock Monday morning by the following vote:

YEAS—19.

Abercrombie,	Houston,
Armistead,	Jarvis,
Burges,	Knittle,
Burney,	Lane,
Calhoun,	MacManus,
Camp,	Pope,
Davis,	Stinson,
Douglass of J.	Terrell,
Garrison,	Upshaw,
Gregg,	

NAYS—9.

Allen,	Frank,
Bell,	Harrison,
Claiborne,	McDonald,
Douglass of G.	Woods.
Field,	

ABSENT—1.

Simkins.

#### FORTY-SECOND DAY.

SENATE CHAMBER, }

AUSTIN, TEXAS, February 28, 1887. }

The Senate met pursuant to adjournment.

Lieutenant-Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Davis,

The reading of the Journal of yesterday was dispensed with.

On motion of Senator Woods,

Senator Davis was excused for one week on account of important business.

On motion of Senator Jarvis,

Mr. Hennessy, the Sergeant-at-Arms, was excused for two days.

#### PETITIONS AND MEMORIALS.

BY SENATOR MACMANUS:

Petition of W. H. Jones and other citizens of Val Verde county, asking an appropriation for maintenance of frontier battalion of State troops.

Referred to Committee on Military Affairs.

The President gave notice of the signing of Senate bill No. 31:

"An act to amend Article 1636 of the Revised Civil Statutes of the State of Texas, adopted by the regular session of the Sixteenth Legislature."

#### REPORTS OF STANDING COMMITTEES.

BY SENATOR M'DONALD.

COMMITTEE ROOM, }

AUSTIN, February 26, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 210, entitled:

"An act to create the office of Public Weigher, to regulate the appointment and election thereto, to define the duties and liabilities thereof, and to reduce into one act the several acts and laws of the State of Texas in relation thereto," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

MCDONALD, acting chairman.

Bill read first time.

BY SENATOR MACMANUS:

COMMITTEE ROOM, }

AUSTIN, February 28, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Stock and Stockraising to whom was referred House bill No. 39, entitled:

"An act to amend section 46, chapter 25, of the acts of 1885, entitled 'an